

REMARKS:

Claims 1, 2, 4, 13, 15, 17-25, 27 and 28 were pending in this application. Claims 1, 2, 4, 13, 15, 17, 18, 20, 21, and 25 have been amended. Claim 23 has been canceled. Claims 29-31 have been added. Thus claims 1, 2, 4, 13, 15, 17-22, 24-25, and 27-31 are pending.

Support for the amendments to the claims can be found throughout the specification, including, but not limited to, the following passages and figures: paragraphs 0019-0021; 0031-0032; and Figs. 3-5.

Double Patenting Rejections

All claims stand rejected “on the ground of nonstatutory obviousness-type double patenting as being unpatentable over” “co-pending application 10/945,633” (now U.S. Patent No. 7,646,760, issued January 12, 2010). Final Office Action at 2. In view of the terminal disclaimer that has been submitted, Applicant requests withdrawal of the double patenting rejections.

Section 112 Rejections

All claims currently stand rejected under § 112, second paragraph. See Final Office Action at 3. The Examiner specifically alleges that two “essential elements” are omitted from the claims: a “bit count,” and a formula for determining an “output port number.” *See id.* The undersigned representative of Applicant spoke with the Examiner during telephone interviews held in January and February 2010, during which the Examiner agreed with Applicant’s argument that the “output port number” formula was not an essential element. The Examiner also agreed that the previous versions of claims 1 and 18, which recited a “bit count value,” were compliant with § 112, as were the respective dependents of those claims. With respect to claims 2, 15, and 20, Applicant has amended these claims to also recite a “bit count value” in order to address the concerns of the Examiner. These amendments are made in order to advance prosecution, and Applicant does not concede the propriety of the rejections.

For at least the above reasons, Applicant submits that the present claims are compliant with § 112 and do not omit any essential elements. Applicant respectfully requests withdrawal of the rejections under § 112.

CONCLUSION:

Applicant respectfully submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time are necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/6257-14502/AAC.

Respectfully submitted,

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